



General Assembly

February Session, 2016

Raised Bill No. 5250

LCO No. 1201



Referred to Committee on HUMAN SERVICES

Introduced by:
(HS)

***AN ACT CONCERNING CONTRIBUTIONS FROM SPOUSES OF
INSTITUTIONALIZED MEDICAID RECIPIENTS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (c) of section 17b-81 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective July*
3 *1, 2016*):

4 (c) The Commissioner of Social Services shall determine a legally
5 liable relative contribution for the spouse of an institutionalized
6 [recipient of] individual who is a Medicaid recipient only when such
7 spouse has income in excess of (1) the minimum monthly needs
8 allowance or (2) the monthly needs allowance for such spouse as
9 determined by the commissioner, through a fair hearing or court
10 proceeding. The amount of such contribution shall not cause the
11 income of such spouse to fall below said minimum monthly needs
12 allowance or said monthly needs allowance for such spouse as
13 determined by the commissioner, through a fair hearing or court
14 proceeding. Notwithstanding the provisions of section 4a-12 or the
15 uniform contribution scale established by the Commissioner of

16 Administrative Services pursuant to said section, any nontaxable
17 income received from an annuity by the spouse of an institutionalized
18 individual who is a Medicaid recipient shall be added to such spouse's
19 taxable income when determining the amount such spouse owes as a
20 contribution pursuant to this section. The spouse of an
21 institutionalized individual, for whom a legally liable relative
22 contribution is determined, may request a fair hearing regarding the
23 amount of the contribution. For purposes of this section,
24 "institutionalized individual" has the same meaning as provided in
25 subsection (d) of section 17b-261a.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	July 1, 2016	17b-81(c)
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Statement of Purpose:

To include nontaxable annuity income as countable income for purposes of calculating a community spouse's contribution toward the long-term care cost of his or her institutionalized spouse.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]